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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of an utility or plant application filed on or after June 8, 1995  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/942,131
Filing Date	November , 2004
First Named Inventor	Robert Alan Hoult
Group Art Unit	2878
Examiner Name	Christine Sung
Attorney Docket Number	03142-P0060A

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); interim Rule 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted  
 i. ☐ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_\_  
 (Any unentered amendment(s) referred to above will be entered).  
 ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
 iii. ☐ Other \_\_\_\_\_  
 b. ☒ Enclosed  
 i. ☒ Amendment/Reply  
 ii. ☐ Affidavit(s)/Declaration(s)  
 iii. ☐ Information Disclosure Statement (IDS)  
 iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103© for a period of \_\_\_\_\_ months. (Period of suspension shall be exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)  
 b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayment to Deposit Account No. 19-4516.  
 i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 11/26/2004 YPOLITE1 00000038 09942131  
 ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:1801 790.00 0P  
 iii. ☒ Other Any Fee Deficiency  
 b. ☒ Check in the amount of \$790.00 is enclosed  
 c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	Wesley W. Whitmyer, Jr.	Registration No (Attorney/Agent)	33,558
Signature		Date	November 18, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: November 18, 2004.

Name (Print / Type)	Paul J. Bosler	Date	November 22, 2004
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

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**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision

**Complete if Known**

Application No.		09/942,131
Filing Date		August 29, 2001
First Named Inventor		Robert Alan Hoult, <i>et al.</i>
Examiner Name		Christine Sung
Art Unit		2878
Attorney Docket Number		03142-P0060A WWW/SBS

☐ Applicant claims small entity status, See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT**

(\$ 790.00)

**METHOD OF PAYMENT (check all that apply)**
☒ Check ☐ Credit Card ☐ Money ☐ Other ☐ None  
☐ Deposit Account: order
Deposit  
Account  
Number

19-4516

Deposit  
Account  
Name

St. Onge Steward Johnston &amp; Reens LLC

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fees(s) during the pendency of this application  
☐ Charge fees(s) indicated below, **except for the filing fee** to the above-identified deposit account
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1101	790	2001	395	Utility filing fee	
1002	350	2202	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIMS FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20**	X	
Independent Claims	-3**	X	
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1201	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claims, if not paid	
1204	88	2204	44	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 over original patent	

SUBTOTAL (2) (\$)

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing for or oath	
1052	50	2052	25	Surcharge - late provisional filing or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	790
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 790)

SUBMITTED BY **St. Onge Steward Johnston & Reens LLC**

Complete (if applicable)

Name (Print/Type)	Wesley W. Whitmyer, Jr.	Registration No (Attorney/Agent)	33,558	Telephone	203 324-6155
Signature	<i>Wesley W. Whitmyer, Jr.</i>	Date	11/18/04		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038**

This collection of information is required by 37CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering of information, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450.**

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